

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. 05-427M
)
Plaintiff,)
)
v.)
) DETENTION ORDER
KENDALL S. GEORGE,)
)
Defendant.)
_____)

Offense charged:

Conspiracy; Dealing Firearms Without a License

Date of Detention Hearing: April 3, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint with conspiracy to export defense articles

01 without a license, and with exporting firearms to Canada without an export license.

02 (2) Defendant is a U.S. citizen residing in Canada with his wife. The defendant and
03 his wife provided conflicting information about their current and prior residence addresses in
04 Canada. The AUSA proffers that when the underlying investigation culminated in August 2005
05 and the defendant became aware of pending charges, he and his wife moved from the residence.
06 He was not located until his arrest in late March 2006 while attempting to cross the border into
07 the United States with his mother. His mother was unable to verify his current address. The
08 AUSA also alleges that when made aware of pending charges, the defendant stopped using his
09 usual vehicles to cross the border in order to avoid detection. There are also discrepancies in the
10 report of the defendant's employment history between that relayed by the defendant and by his
11 wife.

12 (3) The AUSA alleges that the defendant has been involved in marijuana and cocaine
13 trafficking between the United States and Canada, and further alleges that the defendant is at the
14 top of a chain of individuals bringing firearms into Canada for distribution to motorcycle gangs.

15 (4) The defendant poses a risk of nonappearance due to his lack of ties to this
16 community and his ties to Canada, the discrepancy in reported information about his residence and
17 employment, as well as allegations that he was eluding arrest after charges were filed in August
18 2005. He poses a risk of danger based on the nature of the charges.

19 (5) There does not appear to be any condition or combination of conditions that will
20 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
21 to other persons or the community.

22 ///

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 3rd day of April, 2006.


Mary Alice Theiler
United States Magistrate Judge